

REMARKS

Claims 1-30 remain pending in the application.

The Applicants respectfully request that the Examiner reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1-13, 15-28 and 30 over Haartsen in view of Okamoto and Nee

In the Office Action, claims 1-13, 15-28 and 30 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2002/0131486 to Haartsen ("Haartsen") in view of U.S. Patent No. 6,950,433 to Okamoto ("Okamoto"), and further in view of U.S. Patent Application Publication No. 2002/0118635 to Nee ("Nee"). The Applicants respectfully traverse the rejection.

Claims 1-13, 15-28 and 30 recite a system and method of providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis.

Thus, Applicants' claimed system and method allows, e.g., a single receiver to service a plurality of stations on a packet-by-packet basis, the plurality of stations having different transmission characteristics that are determined through use of a table look-up in a station pre-training table. The cited prior art fails to disclose or suggest such a system and method as discussed below.

The Examiner acknowledged that Haartsen fails to disclose providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver (see Office Action, page 3). The reason that Haartsen fails to disclose providing an auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver is that Haartsen's invention is directed toward training a receiver to communicate with a single transmitter. In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992). In re Mills, 16 USPQ2d 1430 (Fed. Cir. 1990). Nothing within any of the cited prior art

suggests modifying Haartsen's invention to allow a single receiver to service a plurality of station IDs, i.e., suggest modifying Haartsen to providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 1-13, 15-28 and 30.

Moreover as previously pointed out to the Examiner, Haartsen discloses a method that relies on a training sequence that is in each packet that is inserted by the transmitter (see paragraph 0037). "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992). In re Mills, 16 USPQ2d 1430 (Fed. Cir. 1990). Nothing within any of the cited prior art suggests modifying Haartsen's invention from use of any type of station pre-training table, much less suggest modifying Haartsen to use a training sequence that is in each packet to use a station pre-training table to determine one or more training values associated with data packets, as recited by claims 1-13, 15-28 and 30.

The Examiner relies on Okamoto to allegedly disclose an "auxiliary header, which includes a source address (auxiliary coding comprising a station ID parameter (source address) of a transmitting home network device, col2 lines 62-66)." (see Office Action, page 4) However, Okamoto auxiliary header that includes a station ID parameter is used to determining which address formats to convert between from a first and second network (see col. 1, lines 55-67). Okamoto's invention has nothing to do with any type of training. The Examiner may be able to find a multitude of references that simply disclose use of a source address or a station ID parameter for a transmitter. However, the Examiner has still failed to produce any reference that discloses use of a station ID parameter with a system and method for training a receiver, much less in the manner claimed. Thus, the Examiner is taking Okamoto's alleged auxiliary header out of

context from the claimed features. Okamoto fails to disclose use of auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver with a system and method for training a receiver, as recited by claims 1-13, 15-28 and 30.

Moreover, the Examiner's motivation to modify Haartsen with the disclosure of Okamoto is "to reduce the effects of ISI to correctly produce successful communication between the transmitter and the receiver in an efficient manner, more precisely, efficiently training a radio receiver using auxiliary information (flag) to the correctly identified transmitter." (see Office Action, page 4). However, the Examiner has not shown how use of Okamoto's auxiliary header that is used to determining which address formats to convert between from a first and second network would assist Okamoto in training a receiver. Moreover, as discussed above Haartsen's invention is only directed toward training a receiver that receives signal from a single transmitter. Haartsen has no need to identify a transmitter since Haartsen's invention is only intended to be used with a single transmitter. "It is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious." In re Fritch, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). Thus, the Examiner is using Applicants' claims and selecting elements from the cited prior art, even if those elements were disclosed within context which they are not as discussed herein, to simply re-create Applicants' claimed features without any suggestion within the cited prior art for such a modification.

The Examiner relies on Nee to allegedly disclose "training signals be pre-calculated and stored in memory to avoid the complexity of the system and that the pre-corrected training codes are stored in a lookup table easily accessible for the training means and that during the training stage, these codes merely need to be read out (auxiliary coding (flag/source address) is used to perform a table look-up in a station pre-training table to determine one or more training values (pre-training codes/reference training sequence, page 2 [0015])." However, Nee's pre-calculated and stored training code is stored in a transmitter,

Fig. 1, items 21-24, for transmission to the receivers 20 (see paragraphs [0029]-[0030]). Thus, Nee knows what training code is associated with a station since it is stored in the station. Nee fails to disclose or suggest use of a station ID to look-up a training value in a station pre-training table. Nee fails to disclose or suggest auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 1-13, 15-28 and 30.

Thus, Haartsen modified by Nee would simply store a training code in a transmitter and transmit the training code to a receiver. Haartsen modified by Nee would still fail to disclose or suggest using a station ID to look-up a training code in a station pre-training table, i.e., auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 1-13, 15-28 and 30.

Thus, even if it were obvious to modify Haartsen with the disclosure of Okamoto and Nee, which it is not as discussed above, the theoretically modified Haartsen would still fail to disclose or suggest use of auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 1-13, 15-28 and 30.

Accordingly, for at least all the above reasons, claims 1-13, 15-28 and 30 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 14 and 29 over Haartsen in view of Okamoto, Nee and Chung

In the Office Action, claims 14 and 29 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Haartsen in view of Okamoto and Nee, and further in view of U.S. Patent No. 6,731,618 to Chung et al. ("Chung"). The Applicants respectfully traverse the rejection.

Claims 14 and 29 recite a system and method of providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis.

As discussed above, Haartsen fails to disclose or suggest a system and method of providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 14 and 29.

The Office Action relies on Chung to disclose auxiliary coding that is provided in a signal independent from a signal including a data packet (see Office Action, page 8). Thus, even if Chung discloses auxiliary coding that is provided in a signal independent from a signal including a data packet, Haartsen in view of Okamoto and Nee modified by Chung would still fail to disclose or suggest a system and method of providing auxiliary coding comprising a station ID parameter of a transmitting home network device to a receiver, wherein the auxiliary coding is used to perform a table look-up in a station pre-training table to determine one or more training values associated with data packets on a packet-by-packet basis, as recited by claims 14 and 29.

Accordingly, for at least all the above reasons, claims 14 and 29 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

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